

Calendar No. 1596

83^d CONGRESS
2^d SESSION

S. 2453

[Report No. 1583]

IN THE SENATE OF THE UNITED STATES

JULY 23 (legislative day, JULY 6), 1953

Mr. TOBEY (by request) introduced the following bill; which was read twice
and referred to the Committee on Interstate and Foreign Commerce

JUNE 11, 1954

Reported by Mr. POTTER, with amendments

[Omit the part struck through and insert the part printed in italics]

A BILL

To amend the Communications Act of 1934, as amended, with
respect to implementing the International Convention for
the Safety of Life at Sea relating to radio equipment and
radio operators on board ship.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) paragraphs (1) and (2) of section 351 (a) of
4 the Communications Act of 1934, as amended, are amended
5 to read as follows:

1 “(1) For any ship of the United States, other than a
2 cargo ship of less than five hundred gross tons, to be navi-
3 gated in the open sea outside of a harbor or port, or for
4 any ship of the United States or any foreign country, other
5 than a cargo ship of less than five hundred gross tons, to
6 leave or attempt to leave any harbor or port of the United
7 States for a voyage in the open sea, unless such ship is
8 equipped with an efficient radio installation in operating
9 condition in charge of and operated by a qualified operator
10 or operators, adequately installed and protected so as to
11 insure proper operation, and so as not to endanger the ship
12 and radio installation, as hereinafter provided, and in the case
13 of a ship of the United States, unless there is on board a
14 valid station license issued in accordance with this Act:
15 *Provided*, That the Commission may defer the application of
16 the provisions of this section for a period not beyond January
17 1, ~~1954~~ 1955, with respect to cargo ships of less than six-
18 teen hundred gross tons not subject to the radio requirements
19 of the Safety Convention when it is found impracticable to
20 obtain or install equipment necessary for compliance there-
21 with;

22 “(2) For any ship of the United States of sixteen
23 hundred gross tons, or over, to be navigated outside of a
24 harbor or port; in the open sea, or for any such ship of the
25 United States or any foreign country to leave or attempt to

1 leave any harbor or port of the United States for a voyage
 2 in the open sea, unless such ship is equipped with an efficient
 3 radio direction finding apparatus (radio compass) properly
 4 adjusted in operating condition as hereinafter provided, which
 5 apparatus is approved by the Commission: *Provided, That*.
 6 the Commission may defer the application of the provisions
 7 of this section with respect to radio direction finding ap-
 8 paratus to a ship or ships between one thousand six hundred
 9 and five thousand gross tons for a period not beyond No-
 10 vember 19, 1954, if it is found impracticable to obtain or
 11 install such direction finding apparatus."

12 (b) Paragraph (3) of section 352 (a) of such Act is
 13 amended to read as follows:

14 "(3) A foreign ship belonging to a country which is a
 15 party to any Safety Convention in force between the United
 16 States and that country which ship carries a valid certifi-
 17 cate exempting said ship from the radio provisions of that
 18 Convention, or which ship conforms to the radio require-
 19 ments of such Convention or Regulations and has on board a
 20 valid certificate to that effect, or which ship is not subject to
 21 the radio provisions of any such Convention;".

22 ~~(c) Subsection 352 (b) of such Act is amended to~~
 23 ~~read as follows:~~

24 ~~"(b) The Commission may grant to passenger and~~
 25 ~~cargo ships exemptions of a partial or conditional nature,~~

1 or complete exemption from the provisions of this part, if
 2 it considers that the maximum distance of the ship from the
 3 nearest land, the length of the voyage, the absence of gen-
 4 eral navigational hazards, and other conditions affecting
 5 safety, are such as to render full application of this part
 6 unreasonable or unnecessary."

7 (c) Section 352 of such Act is amended by adding at
 8 the end thereof a new subsection as follows:

9 " (c) If, because of unforeseeable failure of equipment,
 10 a ship is unable to comply with the equipment requirements
 11 of this part without undue delay of the ship, the mileage
 12 limitations set forth in paragraphs (1) and (2) of subsection
 13 (b) shall not apply: Provided, That exemption of the ship
 14 is found to be reasonable or necessary in accordance with
 15 subsection (b) to permit the ship to proceed to a port where
 16 the equipment deficiency may be remedied."

17 (d) Section 353 of such Act is amended to read as
 18 follows:

19 "OPERATORS, WATCHES, AUTO-ALARM—RADIOTELEGRAPH
 20 EQUIPPED SHIPS

21 "SEC. 353. (a) Each cargo ship required by this part
 22 to be fitted with a radiotelegraph installation and which is
 23 not fitted with an auto-alarm, and each passenger ship re-

1 quired by this part to be fitted with a radiotelegraph in-
2 stallation, shall, for safety purposes, carry at least two
3 qualified operators.

4 “(b) A cargo ship, required by this part to be fitted
5 with a radiotelegraph installation, which is fitted with an
6 auto-alarm in accordance with this title, shall, for safety
7 purposes, carry at least one qualified operator who shall have
8 had at least six months’ previous service in the aggregate
9 as a qualified operator in a station on board a ship or ships
10 of the United States, but during the emergency proclaimed
11 by the President on December 16, 1950, to exist, but not
12 after the termination of such emergency or such earlier
13 date as Congress by concurrent resolution may designate,
14 the aforesaid requirement of six months’ previous service
15 may be suspended or modified by regulation or order of the
16 Commission for successive periods of not more than six
17 months’ duration *United States*.

18 “(c) Each ship of the United States required by this
19 part to be fitted with a radiotelegraph installation shall,
20 while being navigated outside a harbor or port, keep a con-
21 tinuous watch by means of qualified operators: *Provided*,
22 That in lieu thereof, on a cargo ship fitted with an auto-alarm

1 in proper operating condition, a watch of at least eight hours
2 per day, in the aggregate, shall be maintained by means of
3 a qualified operator.

4 “(d) The Commission shall, when it finds it necessary
5 for safety purposes, have authority to prescribe the particu-
6 lar hours of watch on a ship of the United States which is
7 required by this part to be fitted with a radiotelegraph
8 installation.

9 “(e) On all ships of the United States fitted with an
10 auto-alarm, said apparatus shall be in operation at all times
11 while the ship is being navigated outside of a harbor or port
12 when the operator is not on watch.”

13 SEC. 2. (a) Such Act is amended by—

14 (1) redesignating sections 354, 355, 356, 357, 358,
15 359, 360, 361, and 362 thereof as sections 355, 357,
16 358, 359, 360, 361, 362, 363, and ~~64~~ 364 thereof, re-
17 spectively; and

18 (2) amending each such section number wherever
19 it appears therein to conform to the redesignation pre-
20 scribed by paragraph (1) of this subsection.

21 (b) Such Act is amended by inserting, immediately
22 after section 353 thereof, the following new section:

1 “OPERATORS, WATCHES—RADIOTELEPHONE

2 EQUIPPED SHIPS

3 “SEC. 354 (a) Each cargo ship fitted with a radiotele-
4 phone installation in accordance with section 356 shall, for
5 safety purposes, carry at least one qualified operator *who*
6 *may be a member of the crew holding only a certificate*
7 *for radio telephony.*

8 “(b) Each cargo ship of the United States fitted with a
9 radiotelephone installation in accordance with section 356
10 shall, while being navigated outside a harbor or port, keep
11 a listening watch in such manner and during such periods
12 as determined by the Commission.”

13 (c) That portion of section 355 of such Act, as re-
14 designated hereby, which precedes subsection (b) thereof
15 is amended to read as follows:

16 “TECHNICAL REQUIREMENTS—RADIOTELEGRAPH EQUIPPED

17 SHIPS

18 “SEC. 355. The radio installation and the radio direction
19 finding apparatus required by section 351 of this part shall
20 comply with the following requirements:

21 “(a) The radio installation shall comprise a main and
22 an emergency or reserve radiotelegraph installation: *Pro-*

1 *vided*, That, in the case of an existing installation on a cargo
2 ship and a new installation on a cargo ship of five hundred
3 gross tons and upwards but less than one thousand six
4 hundred gross tons, if the main installation complies with
5 all requirements of an emergency or reserve installation,
6 the emergency or reserve installation may be omitted, except
7 that a separate emergency receiver must, in all cases, be
8 provided."

9 (d) Such Act is amended by inserting, immediately
10 after section 355 thereof, as redesignated hereby, the fol-
11 lowing new section:

12 "TECHNICAL REQUIREMENTS—RADIOTELEPHONE EQUIPPED
13 SHIPS

14 "SEC. 356. Cargo ships of less than sixteen hundred
15 gross tons may, in lieu of the radiotelegraph installation
16 prescribed by section 355, carry a radiotelephone installation
17 meeting the following requirements:

18 "(a) The ship's radiotelephone installation shall be in
19 the upper part of the ship and, unless situated on the bridge,
20 there shall be efficient communication with the bridge.

21 "(b) The radiotelephone installation shall be capable
22 of transmitting and receiving on the frequencies and with
23 types of emissions designated by the Commission pursuant to
24 law for the purpose of distress and safety of navigation.

25 "(c) The transmitter shall be capable of transmitting

1 clearly perceptible signals from ship to ship during daytime,
2 under normal conditions and circumstances, over a minimum
3 normal range of one hundred and fifty nautical miles.

4 “(d) There shall be available at all times a source of
5 energy sufficient to operate the installation over the normal
6 range required by paragraph (c). If batteries are provided
7 they shall have sufficient capacity to operate the transmitter
8 and receiver for at least six hours continuously under normal
9 working conditions. In new installations an emergency
10 source of energy shall be provided in the upper part of
11 the ship unless the main source of energy is so situated.”

12 (e) The text of section 357 of such Act, as redesignated
13 hereby, is amended to read as follows:

14 “SEC. 357. Every ship required to be provided with
15 lifeboat radio by treaty to which the United States is a
16 party, by statute, or by regulation made in conformity with
17 a treaty, convention, or statute, shall be fitted with efficient
18 radio equipment appropriate to such requirement under such
19 rules and regulations as the Commission may find necessary
20 for safety of life. For purposes of this section, ‘radio equip-
21 ment’ shall include portable as well as nonportable
22 apparatus.”

23 (f) Subsection 361 (b) of such Act, as redesignated
24 hereby, is amended to read as follows:

25 “(b) Appropriate certificates concerning the radio par-

1 ticulars provided for in said Convention shall be issued upon
2 proper request to any vessel which is subject to the radio pro-
3 visions of the Safety Convention and is found by the Commis-
4 sion to comply therewith. Safety Radiotelegraphy Certif-
5 icates and Safety Radiotelephony Certificates, as prescribed
6 by the said Convention, *and Exemption Certificates issued*
7 *in lieu of such certificates*, shall be issued by the Commission.
8 Other certificates concerning the radio particulars provided
9 for in the said Convention shall be issued by the Commandant
10 of the Coast Guard or whatever other agency is authorized by
11 law to do so upon request of the Commission made after
12 proper inspection or determination of the facts. If the holder
13 of a certificate violates the radio provisions of the Safety Con-
14 vention or the provisions of this Act, or the rules, regulations
15 or conditions prescribed by the Commission, and if the ef-
16 fective administration of the Safety Convention or of this
17 part so requires, the Commission, after hearing in accord-
18 ance with law, is authorized to modify or cancel a certifi-
19 cate which it has issued, or to request the modification or
20 cancellation of a certificate which has been issued by another
21 agency upon the Commission's request. Upon receipt of
22 such request for modification or cancellation, the Comman-
23 dant of the Coast Guard, or whatever agency is authorized by
24 law to do so, shall modify or cancel the certificate in ac-
25 cordance therewith."

1 SEC. 3. Section 3 of such Act is amended by inserting
2 at the end thereof the following new subsections:

3 “(ee) ‘Existing installation’, as used in section 355 of
4 this Act, means an installation installed on a ship prior to
5 November 19, 1952, in the case of a United States ship sub-
6 ject to the radio provisions of the Safety Convention, or one
7 installed on a ship prior to a date one year after the effective
8 date of this subsection in the case of other ships subject to
9 part II of title III of this Act.

10 “(ff) ‘New installation’, as used in sections 355 and
11 356 of this Act, means an installation which replaces an
12 existing installation or, in the case of a United States ship
13 subject to the radio provisions of the Safety Convention, one
14 installed on a ship subsequent to November 19, 1952, and,
15 in the case of other ships subject to part II of title III of this
16 Act, one which is installed subsequent to a date one year
17 after the effective date of this subsection.”

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2 *tives of the United States of America in Congress assembled,*
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4 the Communications Act of 1934, as amended, are amended
5 to read as follows:

1 “(1) For any ship of the United States, other than a
2 cargo ship of less than five hundred gross tons, to be navi-
3 gated in the open sea outside of a harbor or port, or for
4 any ship of the United States or any foreign country, other
5 than a cargo ship of less than five hundred gross tons, to
6 leave or attempt to leave any harbor or port of the United
7 States for a voyage in the open sea, unless such ship is
8 equipped with an efficient radio installation in operating
9 condition in charge of and operated by a qualified operator
10 or operators, adequately installed and protected so as to
11 insure proper operation, and so as not to endanger the ship
12 and radio installation, as hereinafter provided, and in the case
13 of a ship of the United States, unless there is on board a
14 valid station license issued in accordance with this Act:
15 *Provided*, That the Commission may defer the application of
16 the provisions of this section for a period not beyond January
17 1, ~~1954~~ 1955, with respect to cargo ships of less than six-
18 teen hundred gross tons not subject to the radio requirements
19 of the Safety Convention when it is found impracticable to
20 obtain or install equipment necessary for compliance there-
21 with;

22 “(2) For any ship of the United States of sixteen
23 hundred gross tons, or over, to be navigated outside of a
24 harbor or port, in the open sea, or for any such ship of the
25 United States or any foreign country to leave or attempt to

1 leave any harbor or port of the United States for a voyage
2 in the open sea, unless such ship is equipped with an efficient
3 radio direction finding apparatus (radio compass) properly
4 adjusted in operating condition as hereinafter provided, which
5 apparatus is approved by the Commission: *Provided, That*
6 the Commission may defer the application of the provisions
7 of this section with respect to radio direction finding ap-
8 paratus to a ship or ships between one thousand six hundred
9 and five thousand gross tons for a period not beyond No-
10 vember 19, 1954, if it is found impracticable to obtain or
11 install such direction finding apparatus.”

12 (b) Paragraph (3) of section 352 (a) of such Act is
13 amended to read as follows:

14 “(3) A foreign ship belonging to a country which is a
15 party to any Safety Convention in force between the United
16 States and that country which ship carries a valid certifi-
17 cate exempting said ship from the radio provisions of that
18 Convention, or which ship conforms to the radio require-
19 ments of such Convention or Regulations and has on board a
20 valid certificate to that effect, or which ship is not subject to
21 the radio provisions of any such Convention;”.

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 3 nearest land, the length of the voyage, the absence of gen-
 4 eral navigational hazards, and other conditions affecting
 5 safety, are such as to render full application of this part
 6 unreasonable or unnecessary."

7 (c) Section 352 of such Act is amended by adding at
 8 the end thereof a new subsection as follows:

9 " (c) If, because of unforeseeable failure of equipment,
 10 a ship is unable to comply with the equipment requirements
 11 of this part without undue delay of the ship, the mileage
 12 limitations set forth in paragraphs (1) and (2) of subsection
 13 (b) shall not apply: Provided, That exemption of the ship
 14 is found to be reasonable or necessary in accordance with
 15 subsection (b) to permit the ship to proceed to a port where
 16 the equipment deficiency may be remedied."

17 (d) Section 353 of such Act is amended to read as
 18 follows:

19 "OPERATORS, WATCHES, AUTO-ALARM—RADIOTELEGRAPH
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21 "SEC. 353. (a) Each cargo ship required by this part
 22 to be fitted with a radiotelegraph installation and which is
 23 not fitted with an auto-alarm, and each passenger ship re-

1 quired by this part to be fitted with a radiotelegraph in-
2 stallation, shall, for safety purposes, carry at least two
3 qualified operators.

4 “(b) A cargo ship, required by this part to be fitted
5 with a radiotelegraph installation, which is fitted with an
6 auto-alarm in accordance with this title, shall, for safety
7 purposes, carry at least one qualified operator who shall have
8 had at least six months’ previous service in the aggregate
9 as a qualified operator in a station on board a ship or ships
10 of the United States, ~~but during the emergency proclaimed~~
11 ~~by the President on December 16, 1950, to exist, but not~~
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14 ~~the aforesaid requirement of six months’ previous service~~
15 ~~may be suspended or modified by regulation or order of the~~
16 ~~Commission for successive periods of not more than six~~
17 ~~months’ duration~~ *United States.*

18 “(c) Each ship of the United States required by this
19 part to be fitted with a radiotelegraph installation shall,
20 while being navigated outside a harbor or port, keep a con-
21 tinuous watch by means of qualified operators: *Provided,*
22 That in lieu thereof, on a cargo ship fitted with an auto-alarm

1 in proper operating condition, a watch of at least eight hours
2 per day, in the aggregate, shall be maintained by means of
3 a qualified operator.

4 “(d) The Commission shall, when it finds it necessary
5 for safety purposes, have authority to prescribe the particu-
6 lar hours of watch on a ship of the United States which is
7 required by this part to be fitted with a radiotelegraph
8 installation.

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10 auto-alarm, said apparatus shall be in operation at all times
11 while the ship is being navigated outside of a harbor or port
12 when the operator is not on watch.”

13 SEC. 2. (a) Such Act is amended by—

14 (1) redesignating sections 354, 355, 356, 357, 358,
15 359, 360, 361, and 362 thereof as sections 355, 357,
16 358, 359, 360, 361, 362, 363, and ~~64~~ 364 thereof, re-
17 spectively; and

18 (2) amending each such section number wherever
19 it appears therein to conform to the redesignation pre-
20 scribed by paragraph (1) of this subsection.

21 (b) Such Act is amended by inserting, immediately
22 after section 353 thereof, the following new section:

1 “OPERATORS, WATCHES—RADIOTELEPHONE
2 EQUIPPED SHIPS

3 “SEC. 354 (a) Each cargo ship fitted with a radiotele-
4 phone installation in accordance with section 356 shall, for
5 safety purposes, carry at least one qualified operator *who*
6 *may be a member of the crew holding only a certificate*
7 *for radio telephony.*

8 “(b) Each cargo ship of the United States fitted with a
9 radiotelephone installation in accordance with section 356
10 shall, while being navigated outside a harbor or port, keep
11 a listening watch in such manner and during such periods
12 as determined by the Commission.”

13 (c) That portion of section 355 of such Act, as re-
14 designated hereby, which precedes subsection (b) thereof
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22 an emergency or reserve radiotelegraph installation: *Pro-*

1 *vided*, That, in the case of an existing installation on a cargo
 2 ship and a new installation on a cargo ship of five hundred
 3 gross tons and upwards but less than one thousand six
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21 "(b) The radiotelephone installation shall be capable
 22 of transmitting and receiving on the frequencies and with
 23 types of emissions designated by the Commission pursuant to
 24 law for the purpose of distress and safety of navigation.

25 "(c) The transmitter shall be capable of transmitting

1 clearly perceptible signals from ship to ship during daytime,
2 under normal conditions and circumstances, over a minimum
3 normal range of one hundred and fifty nautical miles.

4 “(d) There shall be available at all times a source of
5 energy sufficient to operate the installation over the normal
6 range required by paragraph (c). If batteries are provided
7 they shall have sufficient capacity to operate the transmitter
8 and receiver for at least six hours continuously under normal
9 working conditions. In new installations an emergency
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18 radio equipment appropriate to such requirement under such
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21 ment’ shall include portable as well as nonportable
22 apparatus.”

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25 “(b) Appropriate certificates concerning the radio par-

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9 for in the said Convention shall be issued by the Commandant
10 of the Coast Guard or whatever other agency is authorized by
11 law to do so upon request of the Commission made after
12 proper inspection or determination of the facts. If the holder
13 of a certificate violates the radio provisions of the Safety Con-
14 vention or the provisions of this Act, or the rules, regulations
15 or conditions prescribed by the Commission, and if the ef-
16 fective administration of the Safety Convention or of this
17 part so requires, the Commission, after hearing in accord-
18 ance with law, is authorized to modify or cancel a certifi-
19 cate which it has issued, or to request the modification or
20 cancellation of a certificate which has been issued by another
21 agency upon the Commission's request. Upon receipt of
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4 this Act, means an installation installed on a ship prior to
5 November 19, 1952, in the case of a United States ship sub-
6 ject to the radio provisions of the Safety Convention, or one
7 installed on a ship prior to a date one year after the effective
8 date of this subsection in the case of other ships subject to
9 part II of title III of this Act.

10 “(ff) ‘New installation’, as used in sections 355 and
11 356 of this Act, means an installation which replaces an
12 existing installation or, in the case of a United States ship
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14 installed on a ship subsequent to November 19, 1952, and,
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16 Act, one which is installed subsequent to a date one year
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15 hundred gross tons not subject to the radio requirements of
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19 “(2) For any ship of the United States of sixteen
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21 harbor or port, in the open sea, or for any such ship of the
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5 of this section with respect to radio direction finding ap-
6 paratus to a ship or ships between one thousand six hundred
7 and five thousand gross tons for a period not beyond No-
8 vember 19, 1954, if it is found impracticable to obtain or
9 install such direction finding apparatus.”

10 (b) Paragraph (3) of section 352 (a) of such Act is
11 amended to read as follows:

12 “(3) A foreign ship belonging to a country which is a
13 party to any Safety Convention in force between the United
14 States and that country which ship carries a valid certifi-
15 cate exempting said ship from the radio provisions of that
16 Convention, or which ship conforms to the radio require-
17 ments of such Convention or Regulations and has on board a
18 valid certificate to that effect, or which ship is not subject to
19 the radio provisions of any such Convention;”.

20 (c) Subsection 352 (b) of such Act is amended to
21 read as follows:

22 “(b) The Commission may grant to passenger and
23 cargo ships exemptions of a partial or conditional nature,
24 or complete exemption from the provisions of this part, if

1 it considers that the maximum distance of the ship from the
2 nearest land, the length of the voyage, the absence of gen-
3 eral navigational hazards, and other conditions affecting
4 safety, are such as to render full application of this part
5 unreasonable or unnecessary.”

6 (d) Section 353 of such Act is amended to read as
7 follows:

8 “OPERATORS, WATCHES, AUTO-ALARM—RADIOTELEGRAPH
9 EQUIPPED SHIPS

10 “SEC. 353. (a) Each cargo ship required by this part
11 to be fitted with a radiotelegraph installation and which is
12 not fitted with an auto-alarm, and each passenger ship re-
13 quired by this part to be fitted with a radiotelegraph in-
14 stallation, shall, for safety purposes, carry at least two
15 qualified operators.

16 “(b) A cargo ship, required by this part to be fitted
17 with a radiotelegraph installation, which is fitted with an
18 auto-alarm in accordance with this title, shall, for safety
19 purposes, carry at least one qualified operator who shall have
20 had at least six months’ previous service in the aggregate
21 as a qualified operator in a station on board a ship or ships
22 of the United States, but during the emergency proclaimed
23 by the President on December 16, 1950, to exist, but not
24 after the termination of such emergency or such earlier

1 date as Congress by concurrent resolution may designate,
2 the aforesaid requirement of six months' previous service
3 may be suspended or modified by regulation or order of the
4 Commission for successive periods of not more than six
5 months' duration.

6 “(c) Each ship of the United States required by this
7 part to be fitted with a radiotelegraph installation shall,
8 while being navigated outside a harbor or port, keep a con-
9 tinuous watch by means of qualified operators: *Provided*,
10 That in lieu thereof, on a cargo ship fitted with an auto-alarm
11 in proper operating condition, a watch of at least eight hours
12 per day, in the aggregate, shall be maintained by means of
13 a qualified operator.

14 “(d) The Commission shall, when it finds it necessary
15 for safety purposes, have authority to prescribe the particu-
16 lar hours of watch on a ship of the United States which is
17 required by this part to be fitted with a radiotelegraph
18 installation.

19 “(e) On all ships of the United States fitted with an
20 auto-alarm, said apparatus shall be in operation at all times
21 while the ship is being navigated outside of a harbor or port
22 when the operator is not on watch.”

23 SEC. 2. (a) Such Act is amended by—

1 (1) redesignating sections 354, 355, 356, 357, 358,
2 359, 360, 361, and 362 thereof as sections 355, 357,
3 358, 359, 360, 361, 362, 363, and 64 thereof, respec-
4 tively; and

5 (2) amending each such section number wherever
6 it appears therein to conform to the redesignation pre-
7 scribed by paragraph (1) of this subsection.

8 (b) Such Act is amended by inserting, immediately
9 after section 353 thereof, the following new section:

10 “OPERATORS, WATCHES—RADIOTELEPHONE

11 EQUIPPED SHIPS

12 “SEC. 354 (a) Each cargo ship fitted with a radiotele-
13 phone installation in accordance with section 356 shall, for
14 safety purposes, carry at least one qualified operator.

15 “(b) Each cargo ship of the United States fitted with a
16 radiotelephone installation in accordance with section 356
17 shall, while being navigated outside a harbor or port, keep
18 a listening watch in such manner and during such periods
19 as determined by the Commission.”

20 (c) That portion of section 355 of such Act, as re-
21 designated hereby, which precedes subsection (b) thereof
22 is amended to read as follows:

1 "TECHNICAL REQUIREMENTS—RADIOTELEGRAPH EQUIPPED
2 SHIPS

3 "SEC. 355. The radio installation and the radio direction
4 finding apparatus required by section 351 of this part shall
5 comply with the following requirements:

6 "(a) The radio installation shall comprise a main and
7 an emergency or reserve radiotelegraph installation: *Pro-*
8 *vided*, That, in the case of an existing installation on a cargo
9 ship and a new installation on a cargo ship of five hundred
10 gross tons and upwards but less than one thousand six
11 hundred gross tons, if the main installation complies with
12 all requirements of an emergency or reserve installation,
13 the emergency or reserve installation may be omitted, except
14 that a separate emergency receiver must, in all cases, be
15 provided."

16 (d) Such Act is amended by inserting, immediately
17 after section 355 thereof, as redesignated hereby, the fol-
18 lowing new section:

19 "TECHNICAL REQUIREMENTS—RADIOTELEPHONE EQUIPPED
20 SHIPS

21 "SEC. 356. Cargo ships of less than sixteen hundred
22 gross tons may, in lieu of the radiotelegraph installation

1 prescribed by section 355, carry a radiotelephone installation
2 meeting the following requirements:

3 “(a) The ship’s radiotelephone installation shall be in
4 the upper part of the ship and, unless situated on the bridge,
5 there shall be efficient communication with the bridge.

6 “(b) The radiotelephone installation shall be capable
7 of transmitting and receiving on the frequencies and with
8 types of emissions designated by the Commission pursuant to
9 law for the purpose of distress and safety of navigation.

10 “(c) The transmitter shall be capable of transmitting
11 clearly perceptible signals from ship to ship during daytime,
12 under normal conditions and circumstances, over a minimum
13 normal range of one hundred and fifty nautical miles.

14 “(d) There shall be available at all times a source of
15 energy sufficient to operate the installation over the normal
16 range required by paragraph (c). If batteries are provided
17 they shall have sufficient capacity to operate the transmitter
18 and receiver for at least six hours continuously under normal
19 working conditions. In new installations an emergency
20 source of energy shall be provided in the upper part of
21 the ship unless the main source of energy is so situated.”

22 (e) The text of section 357 of such Act, as redesignated
23 hereby, is amended to read as follows:

24 “SEC. 357. Every ship required to be provided with

1 lifeboat radio by treaty to which the United States is a
2 party, by statute, or by regulation made in conformity with
3 a treaty, convention, or statute, shall be fitted with efficient
4 radio equipment appropriate to such requirement under such
5 rules and regulations as the Commission may find necessary
6 for safety of life. For purposes of this section, 'radio equip-
7 ment' shall include portable as well as nonportable
8 apparatus."

9 (f) Subsection 361 (b) of such Act, as redesignated
10 hereby, is amended to read as follows:

11 " (b) Appropriate certificates concerning the radio par-
12 ticulars provided for in said Convention shall be issued upon
13 proper request to any vessel which is subject to the radio pro-
14 visions of the Safety Convention and is found by the Commis-
15 sion to comply therewith. Safety Radiotelegraphy Certif-
16 icates and Safety Radiotelephony Certificates, as prescribed
17 by the said Convention, shall be issued by the Commission.
18 Other certificates concerning the radio particulars provided
19 for in the said Convention shall be issued by the Commandant
20 of the Coast Guard or whatever other agency is authorized by
21 law to do so upon request of the Commission made after
22 proper inspection or determination of the facts. If the holder
23 of a certificate violates the radio provisions of the Safety Con-
24 vention or the provisions of this Act, or the rules, regulations

1 or conditions prescribed by the Commission, and if the ef-
2 fective administration of the Safety Convention or of this
3 part so requires, the Commission, after hearing in accord-
4 ance with law, is authorized to modify or cancel a certifi-
5 cate which it has issued, or to request the modification or
6 cancellation of a certificate which has been issued by another
7 agency upon the Commission's request. Upon receipt of
8 such request for modification or cancellation, the Comman-
9 dant of the Coast Guard, or whatever agency is authorized by
10 law to do so, shall modify or cancel the certificate in ac-
11 cordance therewith."

12 SEC. 3. Section 3 of such Act is amended by inserting
13 at the end thereof the following new subsections:

14 "(ee) 'Existing installation', as used in section 355 of
15 this Act, means an installation installed on a ship prior to
16 November 19, 1952, in the case of a United States ship sub-
17 ject to the radio provisions of the Safety Convention, or one
18 installed on a ship prior to a date one year after the effective
19 date of this subsection in the case of other ships subject to
20 part II of title III of this Act.

21 "(ff) 'New installation', as used in sections 355 and
22 356 of this Act, means an installation which replaces an
23 existing installation or, in the case of a United States ship
24 subject to the radio provisions of the Safety Convention, one

- 1 installed on a ship subsequent to November 19, 1952, and,
- 2 in the case of other ships subject to part II of title III of this
- 3 Act, one which is installed subsequent to a date one year
- 4 after the effective date of this subsection.”

83^d CONGRESS
1ST SESSION

S. 2453

A BILL

To amend the Communications Act of 1934, as amended, with respect to implementing the International Convention for the Safety of Life at Sea relating to radio equipment and radio operators on board ship.

By Mr. TOBEY

JULY 23 (legislative day, JULY 6), 1953
Read twice and referred to the Committee on
Interstate and Foreign Commerce